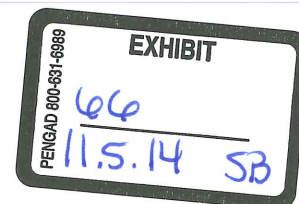


JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE

Court, Position, and Seat # for which you are applying:
Circuit Court, At-Large, Seat 4

1. NAME: The Honorable Edward W. "Ned" Miller
BUSINESS ADDRESS: 305 East North Street, Ste. 219
Greenville, SC 29601
TELEPHONE NUMBER: (office): (864) 467-8559
2. Date of Birth: 1952
Place of Birth: Chicago, Illinois
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years?
Yes.
5. Family Status: Married on December 30, 1978, to Martha Walker Albrecht Miller. Never divorced, two children.
6. Have you served in the military?
No.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
(a) Johns Hopkins University September 1970–May 1974, BA Degree;
(b) USC Law School, September 1975–May 1978, JD Degree.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
SC admitted November 8, 1978.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
(a) Johns Hopkins University
Freshman Football
Lacrosse – two years
Phi Gamma Delta Fraternity;
(b) USC School of Law
Co-founder, President, Captain of the U.S.C. Lacrosse Club.
10. Describe your continuing legal or judicial education during the past five years. Include only the title and date of any continuing legal or judicial education course completed.

<u>Conference/CLE Name</u>	<u>Date</u>
(a) Orientation School for New Judges	7/8/02;
(b) SC Trial Lawyers Convention	8/1/02;
(c) Judicial Conference	8/22/02;
(d) Circuit Judge's Conference	5/7/03;
(e) Judicial Conference	8/21/03;



- | | | |
|------|--|--------------|
| (f) | Criminal Law Update | 1/23/04; |
| (g) | Civil Law Update | 1/23/04; |
| (h) | Circuit Judge's Conference | 5/5/04; |
| (i) | Judicial Conference | 8/19/04; |
| (j) | Judicial Oath of Office | 8/19/04; |
| (k) | Seminar for Chief Judges | 12/10/04; |
| (l) | Criminal & Civil Law Update | 1/21/05; |
| (m) | Circuit Judge's Conference | 5/11/05; |
| (n) | Judicial Conference | 8/24/05; |
| (o) | Criminal & Civil Law Update | 1/27/06; |
| (p) | Circuit Judge's Conference | 5/10/06; |
| (q) | Judicial Conference | 8/23/06; |
| (r) | Criminal & Civil Law Update | 1/26/07; |
| (s) | Circuit Judge's Conference | 5/07; |
| (t) | Judicial Conference | 8/22/07; |
| (u) | Criminal & Civil Law Update | 1/25/08; |
| (v) | Judicial Conference | 8/30/08; |
| (w) | ODC Ethics Seminar | 10/21/08; |
| (x) | Criminal & Civil Law Update | 1/23/09; |
| (y) | Circuit Judges Conference | 5/6/09; |
| (z) | Judicial Conference | 8/19/09; |
| (aa) | Criminal & Civil Law Update | 1/22/10; |
| (bb) | Circuit Judges Conference | 5/5/10; |
| (cc) | Judicial Conference | 8/18/10; |
| (dd) | ODC Ethics Seminar | 10/26/10; |
| (ee) | Criminal & Civil Law Update | 1/21/11; |
| (ff) | Circuit Judge's Conference | 5/4/11; |
| (gg) | Judicial Conference | 8/17/11; |
| (hh) | Circuit Judges Conference | 5/2/12; |
| (ii) | Judicial Conference | 8/22/12; |
| (jj) | Economic Institute for Judges (Chicago, Ill) | 10/22-25/12; |
| (kk) | Criminal & Civil Law Update | 1/25/13; |
| (ll) | Circuit Judges Conference | 5/1/13; |
| (mm) | Fast Track Jury Trials | 6/7/13; |
| (nn) | Judicial Conference | 8/21/13; |
| (oo) | Unlocking E-Discovery (Denver Co.) | 9/19-20/13; |
| (pp) | Criminal & Civil Law Update | 1/14; |
| (qq) | Judicial Conference | 3/14; |
| (rr) | American College of Business Court Judges | 10/24/07. |
11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs? If so, briefly describe each course or lecture.
- (a) Ethics Course Panel at 2005 Public Defender Conference;
 - (b) Panel Discussion concerning the Business Court Pilot Program at the SC Defense Trial Lawyers Conference in July 2008;
 - (c) Ethics Court Panel at the 2008 Public Defenders Conference;

- (d) Presented on the Topic of the History of the Greenville County Bar and Practice of Law at the Greenville County Bar CLE in 2013 and 2014;
 - (e) Presented at the Fast Track Jury Trial Seminar in June 2013;
 - (f) Presented at the Solicitor's Conference 2014 on the subject of Gang related Trials.
12. List all published books and articles you have written and give citations and the dates of publication for each.
- None.
13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.
- (a) Admitted to the SC Bar on November 8, 1978;
 - (b) Admitted to the United States District Court on September 3, 1980;
 - (c) Admitted to the United States Court of Appeals, Fourth Circuit on May 1, 1981.
14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) November 1978–April 1980, Southern Bank & Trust Company, Federal Regulations Compliance Officer;
 - (b) April 1980–June 1981, Assistant Public Defender for Greenville County;
 - (c) June 1981–June 1982, Sole Practitioner – General Practice;
 - (d) June 1982– July 2000, Miller & Paschal, General Practice
Concentration in Civil & Criminal Litigation;
 - (e) July 2000–August 2002, Sole Practitioner – General Practice.
15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.
- Martindale-Hubbell AV.
22. Have you ever held judicial office?
- Circuit Court at Large, Seat No. 4 continuously since August 29, 2002.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
- (a) State v. Evins, 373 S.C. 404, 645 S.E. 2d 904 (2007); This was a death penalty case in Spartanburg County of significant notoriety. The Defendant was convicted by a jury and sentenced to death. The case involved issues related to pretrial publicity, juror disqualification and judicial discretion with respect to admission of evidence;
 - (b) State v. Inman, 395 S.C. 539, 720 S.E. 2d 31 (2011); This case was a capital case involving the murder and sexual assault of a Clemson University student by a previously convicted sex offender who had been released from a foreign state on parole. This case was reported in the national media and was followed intensely by the local media as well. The Defendant entered a guilty plea to all charges: murder, criminal sexual conduct in the first degree, first degree burglary and kidnapping. Over the Defendant's Constitutional objections, the sentencing phase was conducted without a jury. The case contained issues with respect to conditional guilty pleas,

prosecutorial misconduct and witness intimidation. The Defendant was sentenced to death;

- (c) State v. Duncan, 392 S.C. 404, 709 S.E. 2d 662 (2001); This case involved a question of first impression with respect to immunity under the Protection of Persons and Property Act. The Defendant had been indicted for murder and his motion for dismissal of the indictment was granted pursuant to the language of the act. The Supreme Court affirmed my ruling that the immunity issue must be decided pre-trial and that the standard of proof to entitlement to immunity was by a preponderance of the evidence;
- (d) Koutsogiannis v. BB&T, 365 S.C. 145, 616 S.E. 2d 425 (2005); This case involved counterclaims against a bank filed in response to a collection action initiated by the bank against the plaintiff. The trial on the counterclaims was conducted after the case was remanded by the SC Court of Appeals for failure of the original trial court to allow the Plaintiff to argue the merits of the counterclaims. Plaintiff was awarded a verdict on a gross negligence claim, which the Supreme Court affirmed. Issues involved in the case included jury instructions and attorney-client/agent-principal relationships and liability there under;
- (e) Ballard v. Roberson, et. al., 399 S.C. 588, 733 S. E. 2d 107 (2012); This case arose out of the Business Court Pilot Program. The case evolved as a shareholder derivative action with claims of stockholder oppression and a “freeze out” of the minority shareholder. It was an equitable action and tried without a jury. The majority engaged in classic acts of oppression, including unauthorized issuance of shares of stock which further diluted the minority’s position.

24. Have you ever held public office other than judicial office?

No.

25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office.

None.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

(a) Circuit Court, Thirteenth Circuit, Seat 2 - February 2000;

(b) Circuit Court at Large, Seat 3 - May 2000.

27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?

No.

28. Are you now an officer or director or involved in the management of any business enterprise?

No.

29. A complete, current financial net worth statement was provided to the Commission.

30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.

None.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country’s law?

- None.
32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute?
None.
33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy?
None.
34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?
None.
36. Have you ever been investigated by the Department of Social Services? If so, give the details and the resolution. Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect?
None.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance?
N/A.
38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.?
No.
39. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code § 2-17-10(14)?
No.
40. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist’s principal?
No.
41. S.C. Code § 8-13-700 provides, in part, that “[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.” Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.
None.
42. S.C. Code § 8-13-765 provides, in part, that “[n]o person may use government personnel, equipment, materials, or an office building in an election campaign.” Please detail any knowledge you have of any formal charges or informal allegations against you or any other candidate for violations of these provisions.
None.
43. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek.
None.

44. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship.
None.
45. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened?
No.
46. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf?
No.
47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy?
No.
48. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate?
No.
49. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
(a) SC Bar Association;
(b) Greenville County Bar Association (1993 Board of Directors).
50. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.
51. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

My family and I are active communicants at Christ Church in Greenville. Formerly, I was active as a youth athletics coach at the Greenville YMCA. I was also a coach, board member and president of a youth soccer organization in Greenville.
52. References:
(a) Robert P. Richardson, IV
643 Crystal Drive
Spartanburg, SC 29302
(864) 582-8015
(b) John B. Hardaway
P.O. Drawer 10648
Greenville, SC 29603
(864) 370-2211
(c) Mike Gordon

30 Parkway Commons Way
Greer, S.C. 29650
(864) 334-2137

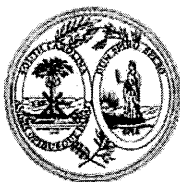
(d) Rick Wylie
104 Knollwood Lane
Greenville, SC 29601
(864) 242-2499

(e) Frank Wilson
Wells Fargo Bank
15 S. Main Street
Greenville, SC 29601
(864) 255-8233

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: Edward W. "Ned" Miller

Date: July 16, 2014



State of South Carolina
The Circuit Court of the Thirteenth Judicial Circuit

EDWARD W. MILLER
JUDGE

GREENVILLE COUNTY COURTHOUSE, SUITE 219
305 EAST NORTH STREET
GREENVILLE, SOUTH CAROLINA 29601-2100
TELEPHONE: (864) 467-8560
FAX: (864) 233-4173
E-MAIL: emillerj@scjd.state.sc.us

October 27, 2014

Ms. Jane Schuler, Esq.
P.O. Box 142
Columbia, SC 29202

Ms. Emma Dean, Esq.
512 Blatt Building
Columbia, SC 29201

Dear Ms. Schuler and Ms. Dean:

Please allow this letter to serve as an amendment to Question 34 of my PDQ form that I previously filed in my current application for re-election to Circuit Court at large Seat 4. I had previously disclosed that I had not been personally or professionally sued. As a result of the SLED investigation of the Judicial Screening Process, I have learned of a number of lawsuits, filed in United States District Court, naming me as a party defendant. I have enclosed the SLED report, dated September 29, 2014, which discloses each of these civil actions. As the report indicates, each of these cases was dismissed without having ever been served on me. I had no prior knowledge of these lawsuits until I received this report.

Thank you for allowing this amendment, and I remain,

Yours very truly,

A handwritten signature in black ink, appearing to read "Ed W. Miller".

Edward W. Miller